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OCT 14 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1 Prof. Richard C. Willson III)
2 and Dr. Jason Murphy)
3 Serial No.: 09/994,701)
4 Filed: 11/06/2001)
5 For: Nucleic Acid...Metal Affinity Chromatography)
6)Examiner
7)Dr. David A. Lambertson
8 571 272 2771
9
10 Priority: Provis 60/246,292)Room _____
11 Attorney Docket: 012AUS/UH2006)Fax 703 872 9306
12 USPTO Customer Number: 26830)Art Unit 1636
13 Response Due: **16 October 2004**

AMENDMENT IN RESPONSE TO FIRST ACTION

14 Commissioner for Patents
15 Box 1450 Group 1636
16 Arlington VA 22313-1450
17 Sir:

18 In response to the first Office Action mailed 16 September 2004, consideration of the
19 following remarks is solicited.
20

The undersigned Attorney certifies that this Document has been filed in the U.S. Post Office via fax to 703 872 9306 to the USPTO on 14 October 2004 (37 CFR 1.10).

21 Applicants' Attorney herein responds to the above Office Action requiring election of
22 Group I, II or III. No additional fee is believed due as there are presented one addition to
23 the total number of claims (21) as presented in the original filing; and one less
24 independent claim (10) as presented in the original filing.
25

26 A new Power of Attorney is enclosed.
27
28
29

Election

Applicant hereby provisionally elects with traverse; **Group II**, composed of original **Claims 10-17** drawn to a method for separating compounds using an IMAC composition.

Acknowledgement

Applicant acknowledges receipt of the Notice of Publication of the Application included with the Office Action.